

The Seabrook Planning and Zoning Commission met on Tuesday, May 15, 2014 in regular session at Seabrook City Hall, 1700 First Street, Seabrook, Texas to consider and if appropriate, take action on the agenda items listed below:

THOSE PRESENT WERE:

MICHAEL POTTS	CHAIRMAN
BUDDY HAMMANN (Excused Absence)	VICE CHAIRMAN
ROSEBUD CARADEC	MEMBER
MIKE DEHART	MEMBER
DODIE MILLER	MEMBER
MICHAEL SHARPE	MEMBER
BOLIVAR LEWIS (Excused Absence)	MEMBER
STEVE WEATHERED	CITY ATTORNEY
SEAN LANDIS	DIRECTOR OF COMMUNITY DEVELOPMENT
ALESIA HAMMOCK	SECRETARY

Chairman Potts called the meeting to order at 7:02 p.m. and stated there was a quorum present.

1.0 ROUTINE PUBLIC HEARING AND ANNOUNCEMENTS – None

2.0 SPECIFIC PUBLIC HEARINGS

2.1 Request for approval of a Short-Form Plat for Harbortown Estates.

Sean Landis gave a brief report. He stated that the applicant is requesting approval of a Short-form plat to change the 16 foot utility easement, drainage easement and building line to a 10 foot utility easement, drainage easement and building line. Mr. Landis stated that he has communicated with the Director of Public Works and currently there are no utilities of any type in the easements and there is not a need for a 16 ft. drainage easement. There are no variances requested. Staff has reviewed the Short Form Plat, and finds it to be compliant with the City's Subdivision and Zoning Ordinances. Staff recommends approval.

Randy Heinbaugh, Eddie Sullivan, and Holly Cayle, Todville Road, stated that they were against the request for the following reasons: the 10 foot utility easement should be changed to 16 feet; their concern was the building line, this would give the developer the opportunity to increase the square footage of the structure; and this would put more light and noise on the neighbors.

Chairman Potts stated that they would be combining the specific public hearing for items 2.2 and 2.3.

2.2 Request to change the zoning classification of land described below from the current classification of R-1 (Residential – Single Family Detached) to C-2 (Commercial Medium).

2.3 Request to change the zoning classification of land described below from the current classification of C-1 (Commercial Light) to C-2 (Commercial Medium).

Mr. Landis gave a brief report. He stated that Mr. Boswell wishes to rezone the aforementioned property to allow for the development of a master planned retail commercial center to be named "Seabrook Town Center". The development will be designed to include an anchor store, adjacent lease spaces and individual perimeter pad sites where businesses along Hwy. 146 could possibly relocate. Mr. Landis stated that there is a requirement in the C-2 Zoning Ordinance that requires a

50 foot landscape buffer and an 8 ft. cinder block continuous wall between any C-2 commercial and R-1 residential uses. He stated that there was a stub street that goes into Oakridge Meadows and there has been some concern that there would be cross connectivity between the development and that neighborhood, that is not something that the developer is proposing and staff would not support it. The required 8 ft. buffer wall would cross that right-of-way.

Roby Hardy, Santa Barbara, California, stated that he is a partner of Pacific Ridge Development. Mr. Hardy stated that they acquired the majority of this property about 15 years ago. They had 40 acres originally and 20 acres has been developed as residential. He stated that they had donated land for the traffic circle. Mr. Hardy stated that around three years ago they were contacted by Kelly Templin, the Seabrook City Manager at that time, and he related that the City was concerned about the Hwy. 146 expansion. Mr. Templin stated that when that occurred, the majority of Seabrook's commercial retail would be eliminated. Mr. Templin also stated that with the age and size of the existing grocery store, Seabrook would be left without a grocery anchor. He asked Pacific Ridge Development to stand down and wait on developing the rest of the property with the potential opportunity, at a later date, to offer a location for the businesses to relocate. Mr. Hardy stated that they were asked to come up with a master plan, showing pad sites where these businesses could relocate. He stated that the majority of the businesses that will need to relocate will need C-2 zoning. This is the only property large enough for a grocery anchor. He stated that he has met with all of the business owners along Hwy. 146 and they all would like to stay in Seabrook. They will not stay in Seabrook if they do not have a place to go.

The following citizens spoke against the rezoning requests stating that they were concerned about proximity to the school and church and the sell of alcohol; the decrease in property values of the neighboring residents; increase in traffic and crime in the area; and, noise level and lighting at night:

Jennise Richardson, Sea Channel Dr.	Norman Young, Oak Dale Way
Theresa Meyers, Lakeway Dr.	Elizabeth Rimmer, Vermillion
Scott Frede, Oak Dale Way	Juan Umana, Wild Oak Forest Lane
David Willard, Lakeway Dr.	Gary Cooling, Loch Lake Dr., El Lago
Jeff Tave, Pine View Circle, El Lago	Diane Kmetz, Vermillion
David Johnson, Wild Oak Forest Lane	

Mike DeHart asked if there would be a grocery store.

Mr. Hardy stated yes.

Mr. Hardy stated that he did not think that they were in violation of any alcohol codes.

Mr. Landis stated that the alcohol code for a church, school or daycare is 300 feet.

Mr. Hardy stated that they were way in excess of 300 feet.

Chairman Potts closed the Specific Public Hearing portion of the meeting at 8:00.

3.0 NEW BUSINESS – The Commission will discuss, consider, and if appropriate, take action on the items listed below.

3.1 Discussion, consideration, and possible action regarding the request for approval of a Short-Form Plat for Harbortown Estates.

Motion was made by Mike DeHart and seconded by Rosebud Caradec

To approve the Short-Form Plat for Harbortown Estates as presented.

Ms. Caradec asked if the change to the easements would change the required setbacks.

Mr. Landis stated no.

Mr. Sharpe asked if this change would affect how close the building could get to the road.

Mr. Landis stated yes, however, the subdivision ordinance does not require a 16 ft. side setback, how it is currently platted, it would be set back further. The change that they are requesting does meet our subdivision ordinance and complies with our zoning ordinance without any type of variance. They are not asking for a variance to the ordinances

Ayes: Caradec, DeHart, Miller, and Potts

Nays: Sharpe

MOTION CARRIES BY MAJORITY VOTE.

3.2 Discussion, consideration, and possible action regarding a request to change the zoning classification of land described below from the current classification of R-1 (Residential – Single Family Detached) to C-2 (Commercial Medium).

Motion was made by Dodie Miller and seconded by Rosebud Caradec

To disapprove the request to change the zoning classification of land described below from the current classification of R-1 (Residential – Single Family Detached) to C-2 (Commercial Medium).

Mr. Miller stated that he did not think they needed any more development.

Ms. Caradec stated that they were going to need room for all of the businesses that they were going to lose with the expansion of Hwy. 146, and that this is a serious problem. She stated that the conceptual design shown has a negative effect.

Steve Weathered stated that this was a rezoning request and that any of the conceptual plan is not binding.

Mr. DeHart stated that there were other areas in the City where you could build a grocery store. He stated that the only thing he would consider for the R-1 portion is C-1 with a conditional use.

Mr. Sharpe stated that he is opposed to changing the R-1 to C-2, because it is backing up to the neighborhoods. He stated that the traffic is already a nightmare on Lakeside.

Ayes: Caradec, DeHart, Miller, and Sharpe

Nays: None

Abstained: Potts

MOTION CARRIES BY UNANIMOUS CONSENT OF THOSE VOTING.

- 153 **3.3 Discussion, consideration, and possible action regarding a request to change the zoning**
154 **classification of land described below from the current classification of C-1 (Commercial**
155 **Light) to C-2 (Commercial Medium).**
156

157 **Motion was made by Rosebud Caradec and seconded by Mike DeHart**
158

159 *To approve the request to change the zoning classification of land described below from the current*
160 *classification of C-1 (Commercial Light) to C-2 (Commercial Medium).*
161

162 Mr. DeHart stated that every C-2 use should be a conditional use.
163

164 Ms. Caradec stated that she has a problem with the traffic in a C-2 zone. She stated that most of the
165 C-2 zone uses produce heavier traffic and this could create problems.
166

167 Ayes: None

168 Nays: Caradec, DeHart, Miller, and Sharpe

169 Abstained: Potts
170

171 **MOTION DENIED BY UNANIMOUS CONSENT OF THOSE VOTING.**
172

173 **4.0 APPROVAL OF MINUTES**
174

- 175 **4.1 Discussion, consideration and possible action concerning the minutes from the April 17, 2014**
176 **Planning & Zoning meeting.**
177

178 **Motion was made by Rosebud Caradec and seconded by Dodie Miller**
179

180 *To approve the April 17, 2014 Planning & Zoning Commission minutes as written.*
181

182 Ayes: Caradec, Miller, and Potts

183 Abstained: DeHart and Sharpe
184

185 **MOTION CARRIES BY UNANIMOUS CONSENT OF THOSE VOTING.**
186

187 **5.0 ROUTINE BUSINESS**
188

- 189 **5.1 Discussion and Consideration of the Community Development Activity Summary.**
190

191 Sean Landis gave a brief report.
192

- 193 **5.2 Report from the Director of Planning and Community Development on the status of a list of**
194 **actions taken by Planning & Zoning and sent to City Council for its action or review.**
195

196 Sean Landis gave a brief report.
197

- 198 **5.3 Discussion with staff and P&Z Commission to establish future agenda items and meeting**
199 **dates.**
200

201 Chairman Potts stated that the next P&Z meeting would be on June 19th, 2014 and the following
202 would be discussed:
203

- Development at the Point
- Land Use Matrix
- Rezoning of the Point
- Repealing Sec. 8.07 Properties made nonconforming by right-of-way acquisition.

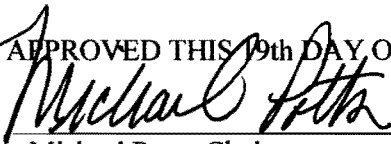
Motion was made by Rosebud Caradec and seconded by Michael Sharpe

To adjourn the Planning & Zoning Commission meeting.

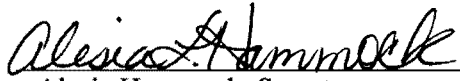
MOTION CARRIES BY UNANIMOUS CONSENT.

Having no further business, the meeting adjourned at 8:20 p.m.

APPROVED THIS 19th DAY OF JUNE, 2014.



Michael Potts, Chairman



Alesia Hammock, Secretary